

## Message Text

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15

ACTION OPR-02

INFO OCT-01 EA-09 ISO-00 A-01 L-03 AID-05 CU-04 /025 W

----- 013605

R 210833Z AUG 75

FM AMEMBASSY MANILA

TO SECSTATE WASHDC 6729

UNCLAS MANILA 11641

PASS TO LUEBKE, A/OS

E.O. 11652: N/A

TAGS: ASCH, RP

SUBJ: PRESIDENTIAL DECREE NO. 732

REF STATE 187424

1. PRESIDENTIAL DECREE 732, CONCERNING INTERNATIONAL SCHOOL IN MANILA, WAS ISSUED AT INITIATIVE OF BOARD OF TRUSTEES OF IS.

2. TWO FACTORS INDICATED NEED FOR SUCH DECREE. FIRST WAS 1973 PHILIPPINE CONSTITUTION WHICH CONTAINED PROVISION (ART. XV SEC. 8) THAT SPECIFICALLY PUT ALL EDUCATIONAL INSTITUTIONS UNDER THE SUPERVISION AND REGULATION OF THE STATE, AND REQUIRED THAT ALL EDUCATIONAL INSTITUTIONS BE AT LEAST 60 PERCENT OWNED BY PHILIPPINE CITIZENS. IT ALSO STATED THAT CONTROL AND ADMINISTRATION OF EDUCATIONAL INSTITUTIONS BE VESTED IN CITIZENS OF THE PHILIPPINES AND THAT NO SUCH INSTITUTION BE ESTABLISHED EXCLUSIVELY FOR ALIENS OR ENROLLMENT OF ANY SCHOOL BE COMPOSED OF MORE THAN ONE-THIRD ALIENS.

HOWEVER, THE CONSTITUTIONS DID CONTAIN AN EXCEPTION, TO WIT: QUOTE THE PROVISIONS...SHALL NOT APPLY TO SCHOOLS ESTABLISHED FOR FOREIGN DIPLOMATIC PERSONNEL AND THEIR DEPENDENTS AND, UNLESS OTHERWISE PROVIDED BY LAW, FOR OTHER FOREIGN TEMPORARY RESIDENTS UNQUOTE. WHILE THIS CLAUSE APPEARED TO EXEMPT IS FROM CONSTITUTIONAL RESTRICTION, IT WAS NOT CLEAR EXACTLY

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WHAT RIGHTS AND OBLIGATIONS IS HAD VIS A VIS DEPARTMENT OF

EDUCATION. THE SECOND FACTOR WAS WITH EXPIRATION OF US/RP LAUREL/LANGLEY AGREEMENT, AMERICANS COULD NO LONGER OWN LAND AND CORPORATIONS WERE REQUIRED TO BE AT LEAST 60 PERCENT OWNED BY PHILIPPINE CITIZENS IN ORDER TO HAVE TITLE TO LAND. THEREFORE, IT WAS NECESSARY TO ADOPT SOME ARRANGEMENT FOR TRANSFERRING LAND OWNED BY IS CORPORATION TO A QUALIFIED ENTITY.

3. AFTER MUCH DISCUSSION AND CONSIDERATION OF OPTIONS BY BOARD OF TRUSTEES, IT WAS DECIDED THAT, IF IT WAS POSSIBLE, A SPECIAL LAW PATTERNED AFTER ONE PROMULGATED FOR ASIAN INSTITUTE OF MANAGEMENT WOULD BE PREFERABLE. SUCH A LAW WOULD CLARIFY THE RIGHT OF IS TO CREATE ITS OWN CURRICULUM, EMPLOYE ALIEN TEACHERS, ESTABLISH ITS OWN CALENDAR AND DETERMINE ITS OWN FEES AND CHARGES PLUS IT WOULD RESOLVE LAND PROBLEMS.

4. BOARD OF TRUSTEES THEN PROVIDED DRAFT OF PROPOSED DECREE TO GOP WHICH WAS EVENTUALLY PROMULGATED AT P.D. 732.

5. FOR LUEBKE: ANGEVINE HAS TRANSFERRED AND HAS BEEN REPLACED ON BOARD OF TRUSTEES BY BUTLER AS EMBASSY REPRESENTATIVE.  
SULLIVAN

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
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**Decaption Date:** 01 JAN 1960  
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**Review Transfer Date:**  
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**To:** STATE  
**Type:** TE  
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